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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,422	12/04/2000	Sanaa F. Abdelhadi	AUS9-2000-0593-US1	7181

7590 03/24/2004

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EXAMINER

LEWIS, MICHAEL A

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,422

Applicant(s)

ABDELHADI ET AL.

Examiner

Lewis A Michael

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1– 8,10,11,13-23,25-28 & 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Ashby, III et al. (U.S. Patent 5852803).

Regarding claims 1 & 14, Ashby III, et al. disclose a service alert agent integrated functionally with a computer for providing access to product information for a computer related product (Col 2, Lines 21 – 25) comprising: a memory device that stores the product information and being located on an external portion of the computer related product; and an audio device that audibly conveys the product information stored in the memory device (Abstract; Fig11 (80) & (74)).

Regarding claims 2, 5,15 & 26, Ashby III, et al. disclose a recording device [including microphone] that records audio and stores the audio in the memory device (Abstract; Fig 11 ((14), (81) & (82) & (84))).

Regarding claims 3,16 & 27, Ashby III, et al. disclose that an audio device audibly conveys the product information in more than one spoken language (Col 9, Line 59).

Regarding claims 4 and 17, Ashby III, et al. disclose a power source [battery] for independently powering the service alert agent (Fig. 10 (40)).

Regarding claims 6,7,8,10,18,19,20 & 22, Ashby III, et al. disclose a method/apparatus of communicating [sending and receiving information or allowing remote accessibility to and from] with a memory device of the computer system to allow automatic and electronic maintenance, checking and updating of the service alert agent (Col 10, Line 54 – Col 21, Line 7).

Regarding claims 11,23 & 28, Ashby III, et al. disclose providing remote accessibility by representatives [referred to as a speaker] of the product (Col 3, Line 51).

Regarding claims 13, 25 & 30, Ashby III, et al. disclose the product information includes at least one of the serial number of product, important technical support and customer service phone numbers related to the product, product warranty information, product tips, product advice or frequently asked questions (Fig 10 (72)).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 9 & 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashby III, et al (U.S. Patent 5852803) in view of Moore (U.S. Patent 5852803).

Regarding claims 9 & 21, Ashby III, et al. do not disclose communicating with a printer to allow printouts and hard copies of the product information. However, Moore teaches the use of a printer for generating print-based and/or auditory-based language friendly labels. Generally, the product-consumer relationship can be greatly improved due to the many benefits provided by audible and/or printable labels especially for the elderly, immigrants and the disabled.

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Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify Ashby, III et al. to include a printer as taught by Moore since it would have been beneficial to provide customers with printable versions of the label.

6. Claims 12,24 & 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashby III, et al (U.S. Patent 5852803) in view of Shaw (U.S. Patent 6568596).

Regarding claims 12,24 & 29, Ashby III, et al. do not disclose recording and storing each service on the product for creating a service history list. However, Shaw teaches the use of XML-based barcode scanner [label reader] that is used to determine the information related to a rental vehicle, including their service history, by reading the label (Col 3, Lines 25 –50). Labels can store valuable information related to the product including technical specifications, rental and service history, etc. making it easy to track and dispense information about a particular product.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify Ashby, III et al. to include service history data as taught by Shaw since it would have made such information easily accessible to customers.

Conclusion

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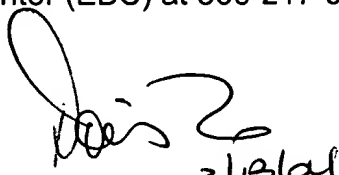
1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mulla et al.	U.S. Patent (6119944)
Philyaw	U.S. Patent (6704864 & 6694356)
Hudetz et al.	U.S. Patent (5978773)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A Lewis whose telephone number is 703 305-8730. The examiner can normally be reached on Monday through Friday, 8:30 am – 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on (703)305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DORIS H. TO 3/13/01

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Lewis A Michael
Examiner
Art Unit 2655

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3/11/2004